

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

LARRY D. REID, ET AL.

Plaintiffs,

V.

DARRYL MOORE

Defendant.

$$\begin{array}{c}) \\) \\) \\) \\) \\) \\) \\) \\) \end{array}$$

CASE NO.1:21:CV-00991

JUDGE JAMES GWEN

**MOTION TO WITHDRAW AS
COUNSEL AND
CONTINUANCE OF
DISCOVERY ORDERS**

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Now comes the defense counsel, Fred D. Middleton and hereby Moves This Court to Withdraw as Counsel for the defendant. Counsel has reviewed this matter with the defendant and determined they cannot properly and professionally proceed further as the defense counsel. There is no agreement as to the representation and future conduct of the representation. Counsel moves to withdraw as defendant's representative in the best interest of the defendant.

Respectfully Submitted,

/s/ Fred Middleton
FRED D. MIDDLETON (#0025555)
 Attorney for Defendant
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CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of March 2023, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system to Raymond V. Vasvari, 20600 Chagrin Boulevard, Suite 800, Cleveland, Ohio 44122-5353; vasvari@vasvarilaw. Com, *Attorneys for Plaintiffs* The parties may access this filing through the Court's system.

/s/ Fred D. Middleton
Fred D. Middleton (0025555)

Memorandum In Support

Defendant has been given notice of the responsibility of proceeding with the prosecution and production of case materials in this matter but has not been responsive to the request. The problems of communication and production of evidence via technical experts has been limited and caused delay of preparation of documents. The defendant's filings of court documents are without counsel's approval, input, or representation. The attorney client relationship has been delayed by lack of responses and communications from the client and this will hinder the attorney client relationship.

The request for the case information has been met with acrimonious and differences of opinions as to the direction of this case. The cost of the case will be substantial and a difficult problem for the attorney to undertake without insurances from the client for proper support. The original undertaking was changed based on the conduct of the client and the parties.

These conflicts and conditions have caused irreconcilable differences between this attorney and client. This is the bases for the motion to withdraw as counsel and request a stay

and/ or continuances for the defendant to obtain replacement counsel.

/s/ Fred D. Middleton
Fred D. Middleton (0025555)